

Article V. Flood Zone District.

Sec. 17.3-31. Purpose and Intent of Article.

In order to promote the public health, safety, and general welfare, and to minimize flood losses in areas subject to flood hazards, this chapter is adopted for the purpose of reducing the hazards of floods to life, property and health through:

Prohibiting certain uses which are dangerous or hazardous to life, property, or health in time of flood.

Restricting uses which are particularly susceptible to flood damage.

Requiring permitted flood area uses to be protected against floods by providing flood protection at the time of initial construction.

Regulating the methods of construction of structures designed for the following uses: human occupancy, water supply, sanitation and other related systems; so as to prevent loss of life, disease, contamination, or unhealthy conditions in areas susceptible of flooding.

Protecting the storage capacity of flood plains and to retain sufficient flood area to convey flood flows which can reasonably be expected to occur by regulating the filling or alteration of channels, and prohibiting unnecessary encroachment of flood areas.

Sec. 17.3-32. Application of the district.

To enable the district to operate in harmony with the plan for land use and population density embodied in these regulations, the Flood Zone District (FZD) is created as a special district and shall consist of the Flood Plain Area and the Coastal High Hazard Area. The Flood Insurance Study and Flood Insurance Rate Map (FIRM) shall delineate the boundaries of the Flood District and is hereby adopted as the official Flood Map of the City of Hampton. The requirements of the FZD shall have precedence over all other zoning regulations, but where there is no conflict between FZD and the basic zoning regulations applicable and contained elsewhere in the Ordinance, then the requirements of the basic zoning regulations shall control.

Sec. 17.3-33. Definition for Article V.

For the purposes of this article, the following words and terms shall have the meanings respectively ascribed to them by this section:

- (1) Base Flood. The flood having a one percent (1%) chance of being equalled or exceeded in any given year, also defined as the one hundred (100) year flood.
- (2) Breakaway Wall. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.
- (3) Building. See "structure."
- (4) Channel. A natural or artificial watercourse with definite bed and banks to confine and conduct continuously or periodically flowing water.
- (5) Chief Executive Officer of the Community (CEO). The City Manager or his designated representative who is charged with the authority to implement and administer laws, ordinances, and regulations for the community.
- (6) Coastal High Hazard Area. The area subject to high velocity waters including, but not limited to, hurricane wave wash, tsunamis, and wind-driven waters, designated on the Flood Insurance Rate Map (FIRM) as Zone VI-30, VE, or V superimposed upon another zoning district provided for by the Zoning Ordinance of the City of Hampton, 1960, as amended, and specifically delineated and shown on the zoning map as a "Coastal High Hazard Area" by legend established by the Zoning Administrator.
- (7) Community. The City of Hampton, which has authority to adopt and enforce flood plain management regulations for the areas within its jurisdiction.
- (8) Curvilinear Line. The border of a FIRM that delineates the special flood areas and consists of

a curved or contour line that follows the topography.

- (9) Development. Any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.
- (10) Elevated Building. A non-basement building built in the case of a building in all A, B, C, D, or X zones, to have the top of the elevated floor, or in the case of a building in all V zones, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear wall parallel to the flow of the water and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of all A, B, C, X, or D zones, "Elevated Building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of all V zones, "Elevated Building" also includes a building otherwise meeting the definition of "Elevated Building," even though the lower area is enclosed by means of breakaway walls, if the breakaway walls meet the provisions or requirements of this article.
- (11) Exception. A waiver from the provision of this article which relieves the community from the requirements of a rule, regulation, order, or other determination made or issued pursuant to the National Flood Insurance Program (44 FR 31177, 5/31/79).
- (12) Existing Construction. Structures for which "start of construction" commenced before the effective date of this article.
  - (12.1) Existing Manufactured/Mobile Home Park or Subdivision. A manufactured/mobile home park or subdivision, as defined in Sections 2-45.2 and

2-45.3 of this Ordinance, for which the construction of facilities for servicing the lots on which the homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed prior to the effective date of this article.

- (13) Expansion to an Existing Manufactured/Mobile Home Park or Subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).
- (14) Existing Structures. See "existing construction."
- (15) Flood Insurance Rate Map (FIRM). An official map of the community where the boundaries of the flood areas have special flood hazards and have been designated as Zones A1-30, A, V1-30, VE or V, and adopted as part of this article.
- (16) Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from:
  - (a) The overflow of inland or tidal waters.
  - (b) The unusual and rapid accumulation of runoff or surface waters from any source.
  - (c) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraphs (a) and (b) of this section.
- (17) Flood Plain. Any land area susceptible of being inundated by water from any source (see definition

of flooding) as outlined and delineated in the FIS and FIRM prepared by the Federal Emergency Management Agency (FEMA) based on data provided by the Army Corps of Engineers and by Dewberry and Davis.

- (18) Floodproofing. Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water, and sanitary facilities, structures, and their contents as required by the Building Code.
- (19) Flood Zone District. Any zone identified in the FIS and the FIRM as either a flood plain or coastal high hazard area.
- (20) Freeboard. A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of a watershed.
- (20.1) Historic Structure. Any structure that is:
  - (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; or
  - (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
  - (c) Individually listed on the Virginia Landmarks Register; or
  - (d) Within a district on the Virginia Landmarks Register and certified or preliminarily determined by the Secretary as contributing

to the historical significance of that district.

- (21) Intermediate Regional Flood. A flood which is caused by rainfall runoff and is not primarily affected by tidal action. The elevation of the intermediate regional flood of Hampton shall be the height of flooding caused by the intermediate regional flood and is based upon studies and

determinations made by the United States Army Corps of Engineers and Dewberry and Davis, as shown in the FIS and FIRM. When such data is not provided in the FIS and/or FIRM, it shall be the responsibility of the developer to ascertain the elevation(s) for the proposed development(s).

- (22) Intermediate Regional Tidal Flood - 100 Year Flood. A flood which is caused by tidal action and is not primarily affected by rainfall runoff. The intermediate regional tidal flood has an average frequency of occurrence once in one hundred years. The elevation of the intermediate regional tidal flood shall range from a minimum of eight and one half (8 1/2) feet above mean sea level, as indicated on the FIRM and in the FIS, or at higher levels in specific areas of the City as shown on the FIRM or in the FIS. The intermediate regional tidal flood elevations are based on an analysis of tidal heights known to have happened in the area and upon independent, but not necessarily compatible, studies and determinations made by the United States Army Corps of Engineers and Dewberry and Davis, as shown in the FIRM and FIS.

- (23) Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this article.

- (24) Mean Sea Level. The average height of the sea for all stages of the tide.

- (25) Deleted.

- (26) New Construction. Structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after January 1, 1975, whichever is later, including any subsequent improvements to such structures. For flood plain management purposes "new construction" means structures for which the "start of construction" commenced on or after the effective date of this article.
- (26.1) New Manufactured/Mobile Home Park or Subdivision. A manufactured/mobile home park or subdivision, as defined in Sections 2-45.2 and 2-45.3 of this Ordinance, for which the construction of facilities for servicing the lots on which the home are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this article.
- (26.2) Recreational Vehicle. A vehicle that is built on a single chassis, four hundred forty (440) square feet or less when measured at the largest horizontal projections, designed to be self-propelled or permanently towable by a light duty truck, and designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.
- (27) Riverine. Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.
- (28) Sand Dunes. Naturally occurring accumulations of sand in ridges or mounds landward of the reach of the mean high tide.
- (29) Special Hazard Area. An area having a special flood, mudslide (i.e. mudflow), and/or flood related erosion hazards, and shown on a FIRM as all A and V zones.
- (30) Start of Construction. Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other

improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured/mobile home on a foundation. Permanent construction does not include land preparation, such as clearing, filling, and/or grading; nor does it include the installation of streets and/or walkways; nor does it include

excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

(30.1) Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of either the city's assessed value or the market value, as established by an independent, unbiased, third party appraisal, of the structure before the damage occurred.

(31) Substantial Improvement. Any repair, addition, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of either the city's assessed value or the market value, as established by an independent, unbiased, third party appraisal, of the structure either (a) before the improvement or repair is started, or (b) if the structure has been substantially damaged and is being restored, before the damage occurred, regardless of the actual repair work performed. Substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. Substantial



improvements does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of an historic structure, provided that the alteration will not preclude continued designation as an historic structure.

(32) Structure. For flood management purposes, structure means any assembly of materials, whether portable or fixed, with or without a roof, when designed for use of occupancy by persons or property.

(33) Variance. A grant of relief from the terms of this article by the Board of Zoning Appeals of the City of Hampton.

#### Sec. 17.3-34. Uses Permitted; Flood Plain Area.

(1) The following uses, and those uses permitted in the basic underlying zoning district, are permitted in the Flood Plain Area (FPA) provided, however:

(a) New construction. Any new construction within Zones A and A1-30 shall comply with the following:

(aa) Residential structures require that the lowest floor (including basement) be constructed at or above the base flood elevation as shown in the FIS and FIRM.

(bb) Non-residential structures require the lowest floor (including basements) be constructed at or above the base flood elevation as shown in the FIS or FIRM, or, together with attendant utility and sanitary facilities, be designed so that the structural portion of the building below the required base flood elevation is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and

hydrodynamic loads and effects of buoyancy.

- (cc) Any fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
  - (i) A minimum of two (2) openings having a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding shall be provided.
  - (ii) The bottom of all openings shall be no higher than one (1) foot above grade.
  - (iii) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (b) Substantial improvement. Any substantial improvement within Zones A and A1-30 shall comply with the following:
  - (aa) Any substantial improvement to existing structures must comply with the regulations set forth in (a) above.
- (c) Storage. Storage or processing of materials that are buoyant, flammable, or explosive, or the storage or processing of gases or chemicals shall be at or above the base flood elevation as shown in the FIS and FIRM for that area.

- (d) Obstruction. No permitted use shall obstruct or unduly restrict the capacity of any channel.
- (e) Floodproofing. Any new construction and/or addition shall be protected by floodproofing. Any floodproofing measures must be certified by a registered engineer or architect. The certification shall state that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact, uplift forces, and other factors associated with the base flood.
- (f) Fill. The depositing of fill or any other material shall be permitted when the same is necessary and incidental to an approved plan for a permitted use in a flood plain area, provided the following are complied with:
  - (aa) The fill or other material does not encroach upon the channel or any water course.
  - (bb) The amount of fill is the minimum amount necessary and proper to carry out the proposed use.
  - (cc) The fill or other material used will be protected against erosion by riprap, vegetative covering, or bulkheading.
- (g) Nonconforming use. Notwithstanding anything contained in Chapter 21 of this Ordinance, a nonconforming use shall not be expanded, altered, added to, or have structures erected in conjunction therewith unless the same complies with the provisions of this chapter.
- (h) Agricultural uses. Agricultural uses shall be permitted, excluding, however, the stockpiling or storage of manure, chemicals, explosive or flammable materials, or buoyant materials.
- (i) Recreational uses. Public and private park, recreational areas, including golf courses, tennis courts, or other outdoor recreational sports, shall be permitted; nothing contained herein shall be construed to permit an

amusement park unless permitted by the underlying zoning district.

- (j) Uses, not involving structures. A use not involving a structure is permitted provided it is customarily incidental to a lawful and permitted use in a contiguous and adjacent zone.
  - (k) Water related uses. A water related use such as docks, piers, and wharves are permitted unless prohibited by the underlying zoning district.
- (2) Manufactured/mobile homes.
- (a) Manufactured/mobile homes that are placed or substantially improved within Zones A and A1-30 on sites that are either outside of a manufactured/mobile home park or subdivision, or in a new manufactured/mobile home park or subdivision, or in an expansion to an existing manufactured/mobile home park or subdivision, or in an existing manufactured/mobile home park or subdivision in which a home has incurred substantial damage as a result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the home is at or above the base flood elevation and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
  - (b) Manufactured/mobile homes that are placed or substantially improved within Zones A and A1-30 on sites in an existing manufactured/mobile home park or subdivision where no home has incurred substantial damage as a result of a flood, shall be elevated so that either the lowest floor of the home is at or above the base flood elevation or the home's chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than three (3) feet in height above grade and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

(c) Deleted.

- (3) Recreational vehicles placed on sites within Zones A and A1-30 shall either be on the site for fewer than one hundred eighty (180) consecutive days, or be fully licensed and ready for highway use, or meet the permit requirements of manufactured/mobile homes and the elevation and anchoring requirements for manufactured/mobile homes in (2)(a) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

Sec. 17.3-35. Uses Permitted; Coastal High Hazard Area.  
(All V Zones)

- (1) Uses customarily incidental to the uses in the

underlying zoning district or an adjacent and contiguous zoning district provided, however:

- (a) No land or existing uses located below the elevation of the intermediate regional tidal flood (100 year flood) in the coastal high hazard area may be developed unless the new construction or substantial improvement complies with the following:

(aa) It shall be located no nearer to the water's edge than the reach of the mean high tide.

(bb) It shall be elevated on pilings or columns so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level and the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used

shall be those associated with the base flood. Wind loading values used shall be those required by the Building Code. A registered professional engineer or architect shall develop or review the structural design, specifications, and plans for the construction, and shall certify that the design and methods for construction to be used are in accordance with accepted standards of practice for meeting the provisions of this paragraph.

- (cc) It shall have no basement, but it shall have a clearly defined free space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open-wood lattice work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of no more than twenty (20) pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of twenty (20) pounds per square foot (either by a design or when so required by local and state codes) may be permitted only if a registered engineer or architect certified that the designs proposed meet the following conditions:

- (i) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
- (ii) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all

building components (structural and non-structural). Water loading values shall be those associated with the base flood. Wind loading values shall be those required by the Building Code. Such enclosed space shall be useable solely for parking vehicles, building access, or storage.

- (b) No person shall construct or cause to be constructed any jetty, groin, bulkhead, sea wall, breakwater, or any other device for the purpose of protecting any beach, channel, whether natural or artificial, or structure for any other purpose unless and until plans for any such construction have been recommended for approval by the Planning Commission.
- (c) Man-made alterations of sand dunes within all V zones on the community's FIRM which would increase potential flood damage is prohibited.

(2) Manufactured/mobile homes.

- (a) All manufactured/mobile homes placed or substantially improved on sites that are either outside a manufactured/mobile home park or subdivision, or in a new manufactured/mobile home park or subdivision, or in an expansion to an existing manufactured/mobile home park or subdivision, or in an existing manufactured/mobile home park or subdivision in which a home has incurred substantial damage as a result of a flood shall meet the standards of paragraph (1) of this section.
- (b) All manufactured/mobile homes placed or substantially improved on other sites in an existing manufactured/mobile home park or subdivision shall be elevated so that either the lowest floor of the home is at or above the base flood elevation, or the home's chassis is supported by reinforced piers or other foundation elements of at least

equivalent strength that are no less than three (3) feet in height above grade and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

- (3) Recreational vehicles. Recreational vehicles shall either be on the site for fewer than one hundred eighty (180) consecutive days, or be fully licensed and ready for highway use, or meet the permit requirements of any A zone and the construction standards identified in subsection (1) above. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

Sec. 17.3-36. Placing of Structures -- Generally.

- (1) Structures. A structure, whether temporary or permanent, in Flood Zone Areas, shall be constructed and placed on site so as to offer minimum obstruction to the flow of flood waters. Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of the flow of flood waters and shall be placed so that the longitudinal axis thereof is on the same line as those of adjoining structures. Structures on site shall be firmly anchored to prevent same from being displaced.
- (2) Manufactured/mobile homes. The following shall apply to manufactured/mobile homes in the flood zone district:
  - (a) Constructed slabs, foundations or spaces for manufactured/mobile homes shall be provided with devices for anchoring the home to prevent overturning or uplift. Any such structure shall comply with any applicable requirements of the Building Code.
  - (b) Any manufactured/mobile homes to be placed in any flood hazard zone shall be anchored to resist flotation, uplift, wind forces, and prevent overturning in accordance with any applicable requirements of the Building Code.



Sec. 17.3-37. Administration of Ordinance.

- (1) Floodproofing certificates. Floodproofing certificates required by this Ordinance of all new construction or substantial improvements shall be submitted to the building official of the City and maintained for record purposes and public inspection.
- (2) Building permits. All building permits shall contain certified information as the elevation/level of the lowest floor or the floodproofing level of all new or substantially improved structures. Such information shall be maintained for public inspection and record purposes as a part of the building permit application system and files and retained in the files of the office of the City's Building Official.
- (3) Variances. Any variance from any requirement of this chapter that cannot be authorized by the Zoning Administrator will be processed through the Board of Zoning Appeals as a "Request for Variance."
  - (a) Variances shall only be issued by the Board of Zoning Appeals in the following circumstances:
    - (aa) Upon showing a good and sufficient cause.
    - (bb) Upon a determination that a failure to grant the variance would result in exceptional hardship to the applicant.
    - (cc) Upon a determination that the granting of a variance would not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud or a victimization of the public, or conflict with existing local laws or ordinances.
    - (dd) Upon showing that the variance requested is the minimum variation necessary,

considering the flood hazard, to afford relief.

- (b) Variances may be issued for the repair and rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (c) Deleted.
- (d) The Zoning Administrator shall notify the applicant in writing and keep appropriate records of such notification. The notice shall bear the signature of the CEO and the notice shall contain:
  - (aa) Information informing the party that the issuance of a variance to construct a structure below the base flood level may result in increased premium rates for flood insurance.
  - (bb) A statement that such construction below the base flood level increases risks to life and property.
- (e) The Zoning Administrator shall maintain a record of all actions, including notices given and justification for their issuance, and report such variances issued in the annual or biennial report submitted to the Administrator. This report shall be submitted annually or biennially as determined by the Administrator.
- (f) Variances may be issued for new construction and substantial improvements on lots of one-half (1/2) acre or less that are contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with paragraphs (a) through (e) of this section.

- (4) Notification. Notification will be made to any

adjacent community and to the Virginia State Water Control Board in situations where any alteration or relocation of a watercourse is being considered. Copies of such notification shall be submitted to the Federal Insurance Administrator. In the process of altering or relocating any portion of any watercourse, the flood carrying capacity must be maintained. Notification to any adjacent community and the Virginia State Water Control Board is the responsibility of the developer. In the event the City of Hampton is designated developer, the notification responsibility becomes a function of the City Engineer, Public Works Department.

- (5) Development. Any development within the flood plain, including the coastal high hazard area, is subject to all other applicable federal and state rules and regulations.
- (6) Development proposals. Development proposals shall be reviewed by the CEO or his agent to determine whether such developments will:
  - (a) be reasonably safe from flooding;
  - (b) be consistent with the need to minimize flood damage;
  - (c) position on-site waste disposal systems to avoid impairment to them or contamination from them during flooding;
  - (d) be adequate to minimize or eliminate flood damage to all public utilities including gas and electrical systems; and
  - (e) be provided with adequate drainage to reduce exposure to flood hazards.
- (7) Flood Plain Management Regulations. Any flood plain management regulations or changes thereto, based upon modified data reflecting natural or man-made physical changes shall not be adopted or enforced without prior approval of the Federal Insurance Agency Administrator.